

AMENDED IN ASSEMBLY SEPTEMBER 6, 2007

AMENDED IN SENATE JUNE 5, 2007

AMENDED IN SENATE APRIL 30, 2007

AMENDED IN SENATE APRIL 18, 2007

SENATE BILL

No. 1002

Introduced by Senator Perata

February 23, 2007

An act to add Division 33 (commencing with Section 83000) to the Water Code, relating to water, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 1002, as amended, Perata. Water quality, flood control, water storage, and wildlife preservation.

(1) Under existing law, various bond acts have been approved by the voters to provide funds for water projects, facilities, and programs. The Disaster Preparedness and Flood Prevention Bond Act of 2006, a bond act approved by the voters at the November 7, 2006, statewide general election, authorizes the issuance of bonds in the amount of \$4,090,000,000 for the purposes of financing disaster preparedness and flood prevention projects. The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, an initiative bond act approved by the voters at the November 7, 2006, statewide general election, authorizes the issuance of bonds in the amount of \$5,388,000,000 for the purposes of financing a safe drinking water, water quality and supply, flood control, and resource protection program. ~~The Costa-Machado Water Act of 2000 authorizes, for the purposes of financing a safe drinking water, water quality, watershed protection, and flood protection program, the issuance of bonds in the~~

amount of \$1,970,000,000. The Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002, approved by the voters at the November 5, 2002, statewide general election, authorizes, for the purposes of financing a safe drinking water, water quality, and water reliability program, the issuance of bonds in the amount of \$3,440,000,000.

This bill, with regard to those bond funds, would appropriate ~~\$675,500,000~~ *\$610,890,000* as follows: of the funds made available pursuant to the Disaster Preparedness and Flood Prevention Bond Act of 2006, \$50,000,000 to the Department of Water Resources for essential emergency preparedness supplies and projects, and \$150,000,000 to the department for stormwater flood management project grants; of the funds made available pursuant to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, \$50,000,000 to the State Department of Public Health for grants *and loans* for small community drinking water systems infrastructure improvements and related actions, ~~—\$200,000,000~~ *\$50,400,000 to the State Department of Public Health for grants for projects to prevent or reduce the contamination of groundwater that serves as a source of drinking water*, \$40,000,000 to the department for ~~grants that integrate groundwater management with water supply management and water quality management~~ *\$15,000,000 administrative costs, planning grants, and local groundwater assistance grants*, \$50,000,000 to the department for projects to relocate existing Sacramento-San Joaquin Delta water intake facilities, \$60,000,000 to the department for expenditures to increase the department's ability to respond to levee breaches and to reduce the potential for levee failure, \$100,000,000 to the department for the acquisition, preservation, protection, and restoration of Sacramento-San Joaquin Delta islands, \$12,000,000 to the department to complete *planning and* feasibility studies associated with new surface storage under the California Bay-Delta Program, ~~and~~ \$15,000,000 to the department for ~~the development of a plan~~ *planning and feasibility studies to identify potential options* for the reoperation of the state's flood protection and water supply systems; of the funds made available pursuant to the Costa-Machado Water Act of 2000, ~~\$22,000,000 to the State Water Resources Control Board for water recycling project grants, \$16,000,000 to the department for grants for water conservation projects, groundwater recharge facilities, urban water conservation projects, and infrastructure rehabilitation projects, and \$125,000,000 to the department for projects~~

~~to reduce losses of all life stages of fish to water diversions in the San Joaquin River and the Sacramento-San Joaquin Delta; and of the funds made available pursuant to the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002, \$12,500,000 to the department for contaminant and salt removal technologies, and \$20,000,000 for implementation of the Franks Tract Pilot Project, \$10,000,000 to the department to update the California Water Plan, \$10,000,000 to the department for planning and feasibility studies for projects to reduce ecosystem conflicts in the Sacramento-San Joaquin Delta, and \$10,000,000 to the State Coastal Conservancy for projects on the Santa Ana River; and of the funds made available under the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002, \$3,490,000 to the department for planning and feasibility studies associated with surface storage under the California Bay-Delta Program.~~

The bill would provide that up to 5% of the funds appropriated by the bill may be expended to pay for the administrative costs of that program. The bill would provide that funds appropriated by the bill are available for encumbrance until June 30, 2009. On January 10, 2008, program recipients would be required to report to the fiscal committees of the Legislature with regard to the committed and anticipated expenditures of these funds.

(2) Under the Porter-Cologne Water Quality Control Act, the State Water Resources Control Board and the California regional water quality control boards are the principal state agencies with authority over matters relating to water quality.

This bill would require the state board, in consultation with other agencies, to develop pilot projects in the Tulare Lake Basin and the Salinas Valley focused on nitrate contamination. The bill would require the state board to create an interagency task force, as needed, to oversee the pilot projects and submit a report to the Legislature on the scope and findings of the projects within 2 years of receiving funding. The state board would be required to implement recommendations for developing a groundwater cleanup program for the Central Valley Water Quality Control Region and the Central Coast Water Quality Control Region based upon pilot project results within 2 years of submitting the report to the Legislature.

~~(2) The Safe, Clean, Reliable Water Supply Act authorizes the issues of bonds in the amount of \$995,000,000 for the purposes of financing prescribed water programs.~~

~~This bill would require that the funds made available pursuant to the act be expended as follows: \$25,000,000 on acquiring and restoring habitat for delta smelt and other pelagic fish species; \$18,000,000 on project to improve water quality in the Sacramento-San Joaquin Delta; and \$200,000,000 on prescribed Bay-Delta Ecosystem Projects.~~

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Division 33 (commencing with Section 83000)
2 is added to the Water Code, to read:

3
4 DIVISION 33. INTEGRATED WATER SUPPLY AND
5 FLOOD PROTECTION PLANNING, DESIGN, AND
6 IMPLEMENTATION
7

8 83000. The Legislature hereby finds and declares all of the
9 following:

10 (a) Water is vital to the economy, environment, and overall
11 well-being of the state.

12 (b) California faces increasing challenges in managing its water
13 supply due to climate change, uncertainty regarding the availability
14 of water from the Sacramento-San Joaquin Delta and other sources,
15 an increasing state population, limitations on public funds, and
16 other factors.

17 (c) California must adopt a new, updated, and comprehensive
18 set of water planning, design, and implementation policies that
19 reflect these realities to protect its water supply future.

20 (d) In the past, state laws, funding schemes, and administrative
21 actions have treated the planning, construction, and operation of
22 water supply, groundwater, and flood control systems as separate
23 and distinct activities, thereby reducing efficiency and water supply
24 reliability.

25 (e) California has not taken full advantage of the cost savings,
26 the environmental benefits, or the expediency of more efficient
27 operations and usage of existing water supply, storage, and flood
28 protection facilities.

29 (f) It is the policy of the state to more effectively integrate its
30 flood protection systems with its water supply and conveyance

1 systems in order to conserve limited public dollars, increase the
2 available water supply, improve water quality, increase wildlife
3 and ecosystem protections, protect public health and safety, and
4 address the effects of climate change.

5 (g) The purpose of this division is to require the integration of
6 flood protection and water systems to achieve multiple public
7 benefits, including all of the following:

8 (1) Increasing water supply reliability in the least costly, most
9 efficient, and most reliable manner to meet current and future state
10 needs.

11 (2) Increasing use of water use efficiency and water conservation
12 measures to increase and extend existing water supplies.

13 (3) Reducing energy consumption associated with water
14 transport, thereby reducing state greenhouse gas emissions.

15 (4) Improving water management to protect and restore
16 ecosystems and wildlife habitat.

17 83001. In order to provide the least costly, most efficient, and
18 reliable water supply to a growing state, it is the intent of the
19 Legislature that the department accomplish the following
20 objectives:

21 (a) Integrate state flood protection and water supply systems.

22 (b) Promote conjunctive use of groundwater storage capacity
23 to improve overall water supply and flood system operation.

24 (c) Promote increased water use efficiency through expanded
25 use of water conservation, water recycling, and improvements in
26 technology.

27 83002. The sum of ~~six hundred seventy-five million five~~
28 ~~hundred thousand dollars (\$675,500,000)~~ *six hundred ten million*
29 *eight hundred ninety thousand dollars (\$610,890,000)* is hereby
30 appropriated as follows:

31 (a) Of the funds made available pursuant to Chapter 1.699
32 (commencing with Section 5096.800) of Division 5 of the Public
33 Resources Code, the sum of two hundred million dollars
34 (\$200,000,000) is hereby ~~allocated to the Controller~~ *appropriated*
35 as follows:

36 (1) Pursuant to subdivision (c) of Section 5096.821 of the Public
37 Resources Code, the sum of fifty million dollars (\$50,000,000) to
38 the department for the acquisition, design, and construction of
39 essential emergency preparedness supplies and projects. Prior to
40 the design or construction of any project funded pursuant to this

1 paragraph, the California Bay-Delta Authority, or its successor,
2 shall approve the specific project or program.

3 (2) Pursuant to Section 5096.827 of the Public Resources Code,
4 the sum of one hundred fifty million dollars (\$150,000,000) to the
5 department for grants for stormwater flood management projects
6 that reduce flood damage and provide other benefits, including
7 groundwater recharge, water quality improvement, and ecosystem
8 restoration. *Not less than one hundred million dollars*
9 *(\$100,000,000) of this amount shall be available for projects that*
10 *address immediate public health and safety needs, strengthen*
11 *existing flood control facilities to address seismic safety issues.*
12 *Twenty million dollars (\$20,000,000) shall be available for local*
13 *agencies to meet immediate water quality needs related to*
14 *combined municipal sewer and stormwater systems to prevent*
15 *sewage discharges into state waters. Twenty million dollars*
16 *(\$20,000,000) shall be available for stormwater flood protection*
17 *projects in the northern San Francisco Bay area and Marin County*
18 *for the purposes of protecting public safety and property from*
19 *flood events.*

20 (b) Of the funds made available pursuant to Division 43
21 (commencing with Section 75001) of the Public Resources Code,
22 ~~the sum of two hundred eighty million dollars (\$280,000,000) is~~
23 ~~hereby allocated to the Controller as follows:~~ *the sum of four*
24 *hundred seven million four hundred thousand dollars*
25 *(\$407,400,000) is hereby appropriated as follows:*

26 (1) Pursuant to Section 75022 of the Public Resources Code,
27 the sum of fifty million dollars (\$50,000,000) to the State
28 Department of Public Health for grants for small community
29 drinking water system infrastructure improvements and related
30 action to meet safe drinking water standards. First priority for these
31 funds shall be given to disadvantaged *or severely disadvantaged*
32 communities lacking resources to provide safe drinking water to
33 residents. *Small community drinking water systems that are*
34 *dependent on surface water and are under orders from the State*
35 *Department of Public Health to boil water from existing treatment*
36 *systems for parasites, viruses, or giardia shall be eligible for grants*
37 *for drinking water system infrastructure improvements.*

38 ~~(2) Pursuant to Section 75026 of the Public Resources Code,~~
39 ~~the sum of two hundred million dollars (\$200,000,000) to the~~
40 ~~department for grants that integrate groundwater management with~~

1 ~~water supply management and water quality management,~~
2 ~~including the following:~~

3 ~~(A) Development of local groundwater management plans and~~
4 ~~projects pursuant to Part 2.78 (commencing with Section 10795)~~
5 ~~of Division 6 of the Water Code.~~

6 ~~(B) Drilling and installing groundwater monitoring wells for~~
7 ~~the purposes of monitoring groundwater elevations and~~
8 ~~groundwater quality.~~

9 ~~(C) Groundwater cleanup, recharge, conjunctive use, storage,~~
10 ~~and banking projects.~~

11 ~~(D) Contaminant and salt removal through reclamation,~~
12 ~~desalting, and other treatment technologies, and conveyance of~~
13 ~~reclaimed water for distribution to users.~~

14 *(2) Pursuant to Section 75025 of the Public Resources Code,*
15 *the sum of fifty million four hundred thousand dollars*
16 *(\$50,400,000) to the State Department of Public Health for grants*
17 *for projects to prevent or reduce the contamination of groundwater*
18 *that serves as a source of drinking water. Funds appropriated by*
19 *this paragraph shall be available for immediate projects needed*
20 *to protect public health by preventing or reducing the*
21 *contamination of groundwater that serves as a major source of*
22 *drinking water for a community.*

23 *(A) The State Department of Public Health shall prioritize*
24 *project funding based on the following criteria:*

25 *(i) The threat posed by groundwater contamination to the*
26 *affected community's overall drinking water supplies, including*
27 *the need for the treatment or construction of alternative supplies*
28 *if groundwater is not available due to contamination.*

29 *(ii) The potential for groundwater contamination to spread and*
30 *reduce drinking water supply and water storage capacity for major*
31 *population areas.*

32 *(iii) The potential of the project, if fully implemented, to enhance*
33 *local water supply reliability.*

34 *(iv) The potential of the project to increase opportunities for*
35 *groundwater recharge and optimization of groundwater supplies.*

36 *(B) The State Department of Public Health shall give additional*
37 *consideration to projects that meet any of the following criteria:*

38 *(i) The project is implemented pursuant to a comprehensive*
39 *basinwide groundwater quality management and remediation plan*
40 *or is necessary to develop a comprehensive groundwater plan.*

1 (ii) Affected groundwater provides a local supply that, if
2 contaminated, will require the importation of additional water
3 from the Sacramento-San Joaquin Delta or the Colorado River.

4 (iii) The project will serve an economically disadvantaged
5 community.

6 (iv) Multiple contaminants affect more than one-third of the
7 well capacity of a local water system.

8 (C) Of the funds appropriated by this paragraph, two million
9 dollars (\$2,000,000) shall be allocated to the State Department
10 of Public Health to contract with the State Water Resources
11 Control Board for the purposes of Section 83002.5.

12 (3) Pursuant to Section 75026 of the Public Resources Code,
13 the sum of forty million dollars (\$40,000,000) to the department
14 for administrative costs, planning grants, and local groundwater
15 assistance grants.

16 (4) Pursuant to subdivision (d) of Section 75029 of the Public
17 Resources Code, the sum of fifty million dollars (\$50,000,000) to
18 the department for projects that relocate existing Sacramento-San
19 Joaquin Delta water intake facilities and that meet all of the
20 following criteria:

21 (A) Have completed documentation required under the
22 California Environmental Quality Act (Division 13 (commencing
23 with Section 21000) of the Public Resources Code) and a notice
24 of determination has been filed prior to June 30, 2007.

25 (B) Have demonstrated multiple benefits in the environmental
26 documentation, including a net benefit to delta pelagic fisheries
27 and drinking water quality improvement.

28 (C) Are able to complete design and, if the project involves
29 construction, commence construction within the 2007–08 fiscal
30 year.

31 (D) Have local and federal cost sharing.

32 (5) Pursuant to Section 75033 of the Public Resources Code,
33 the sum of one hundred sixty million dollars (\$160,000,000) to the
34 department as follows:

35 (A) Sixty million dollars (\$60,000,000) to increase the
36 department's ability to respond to levee breaches and to reduce
37 the potential for levee failure, including, but not limited to, the
38 following:

39 (i) Acquisition and positioning of emergency construction
40 materials and equipment.

1 (ii) *Emergency projects to prevent levee failure or repair levees*
2 *or other flood control facilities to restore conveyance and flood*
3 *protection.*

4 (iii) *Preparation for, and implementation of, a delta emergency*
5 *operations plan.*

6 (iv) *Emergency contracts for activities relating to a flood fight*
7 *or levee failure to prevent or mitigate loss of, or damage to, life,*
8 *health, property, or essential public services.*

9 (B) *One hundred million dollars (\$100,000,000) for the*
10 *acquisition, preservation, protection, and restoration of*
11 *Sacramento-San Joaquin Delta islands. Projects shall be selected*
12 *to improve the stability of the delta levee system, reduce*
13 *subsidence, and assist in restoring the ecosystem of the delta.*
14 *Priority shall be given to projects that improve conditions for delta*
15 *smelt and other native fish. Eligible projects include, but are not*
16 *limited to, all of the following:*

17 (i) *Suisun Marsh tidal marsh restoration.*

18 (ii) *Dutch Slough tidal marsh restoration.*

19 (iii) *Decker Island restoration.*

20 (iv) *Exotic species control.*

21 ~~(3)~~

22 (6) Pursuant to Chapter 4 (commencing with Section 75041) of
23 Division 43 of the Public Resources Code, the sum of ~~thirty million~~
24 ~~dollars (\$30,000,000)~~ *forty-seven million dollars (\$47,000,000)*
25 to the department as follows:

26 ~~(A) (i) Fifteen million dollars (\$15,000,000) to complete the~~

27 (A) (i) *Twelve million dollars (\$12,000,000) to complete the*
28 *planning and feasibility studies associated with new surface storage*
29 *under the California Bay-Delta Program.*

30 (ii) The *planning and feasibility studies* shall include the
31 following information:

32 (I) The identification of specific construction and operation
33 conditions proposed for each surface storage facility, including
34 consideration of climate change, an estimated schedule for the
35 construction and completion of each project funded under Section
36 75041, and the total costs of constructing each project.

37 (II) A description of the estimated total costs to construct each
38 project and an allocation of the costs to public and private
39 beneficiaries.

(iii) Any feasibility study conducted by or funded by the state for new surface storage under the *California* Bay-Delta Program shall evaluate funded projects consistent with all statutory and other legally established requirements for protection of environmental and natural resources, including protections for the McCloud River pursuant to Section 5093.542 of the Public Resources Code.

(iv) The feasibility studies shall be prepared and submitted to the Governor and the Legislature no later than ~~March 1~~ *December 31, 2008*.

(B) (i) Fifteen million dollars (\$15,000,000) for ~~the development of a plan~~ *planning and feasibility studies to identify potential options* for the reoperation of the state's flood protection and water supply systems that will optimize the use of existing facilities and groundwater storage capacity.

~~(ii) This plan shall incorporate appropriate climate change scenarios and be designed to achieve all of the following objectives:~~

(ii) The studies shall incorporate appropriate climate change scenarios and be designed to determine the potential to achieve the following objectives:

(I) Integration of flood protection and water supply systems to increase water supply reliability and flood protection, improve water quality, and provide for ecosystem protection and restoration.

(II) Reoperation of existing reservoirs, flood facilities, and other water facilities in conjunction with groundwater storage to improve water supply reliability, flood control, and ecosystem protection and to reduce groundwater overdraft.

(III) Promotion of more effective groundwater management and protection and greater integration of groundwater and surface water resource uses.

(IV) Improvement of existing water conveyance systems to increase water supply reliability, improve water quality, expand flood protection, and protect and restore ecosystems.

(C) *Ten million dollars (\$10,000,000) to update the California Water Plan, including evaluation of climate change impacts, the development of strategies to adapt to climate change impacts, and the identification of strategies to reduce greenhouse gas emissions related to the storage, conveyance, and distribution of water.*

(D) *Ten million dollars (\$10,000,000) for planning and feasibility studies for projects to reduce ecosystem conflicts in the*

1 *Sacramento-San Joaquin Delta. The department shall commence*
2 *these studies by January 1, 2008.*

3 *(7) Of the funds made available pursuant to subdivision (i) of*
4 *Section 75050 of the Public Resources Code ten million dollars*
5 *(\$10,000,000) is appropriated to the State Coastal Conservancy*
6 *for projects on the Santa Ana River.*

7 *(c) Of the funds made available pursuant to subdivision (a) of*
8 *Section 79550 of the Public Resources Code, the sum of three*
9 *million four hundred ninety thousand dollars (\$3,490,000) is*
10 *hereby appropriated to the department for planning and feasibility*
11 *studies associated with surface storage under the California*
12 *Bay-Delta Program.*

13 ~~(e) Of the funds made available pursuant to Division 26~~
14 ~~(commencing with Section 79000), the sum of one hundred~~
15 ~~sixty-three million dollars (\$163,000,000) is hereby allocated to~~
16 ~~the Controller as follows:~~

17 ~~(1) Pursuant to subdivision (a) of Section 79137, the sum of~~
18 ~~twenty-two million dollars (\$22,000,000), to the state board for~~
19 ~~grants for water recycling projects.~~

20 ~~(2) Pursuant to Chapter 8 (commencing with Section 79150) of~~
21 ~~Division 26, the sum of sixteen million dollars (\$16,000,000) to~~
22 ~~the department for grants for water conservation projects,~~
23 ~~groundwater recharge facilities, urban water conservation projects~~
24 ~~and infrastructure rehabilitation projects.~~

25 ~~(3) Pursuant to Article 3 (commencing with Section 79190) of~~
26 ~~Chapter 9 of Division 26, the sum of one hundred twenty-five~~
27 ~~million dollars (\$125,000,000) to the department for the design~~
28 ~~and construction of demonstration fish screens at the Clifton Court~~
29 ~~Forebay and other projects to reduce losses of all life stages of fish~~
30 ~~to water diversions in the San Joaquin River and the delta. Prior~~
31 ~~to commencing any project or program funded pursuant to this~~
32 ~~section, the California Bay-Delta Authority, or its successor, shall~~
33 ~~approve the specific project or program.~~

34 ~~(d) Of the funds made available pursuant to Division 26.5~~
35 ~~(commencing with Section 79500), the sum of thirty-two million~~
36 ~~five hundred thousand dollars (\$32,500,000) is hereby allocated~~
37 ~~to the Controller as follows:~~

38 ~~(1) Pursuant to Chapter 6 (commencing with Section 79545) of~~
39 ~~Division 26.5, the sum of twelve million five hundred thousand~~

~~dollars (\$12,500,000) to the department for contaminant and salt removal technologies.~~

~~(2) Pursuant to subdivision (b) of Section 79550 the sum of twenty million dollars (\$20,000,000) for the implementation of the Franks Tract Pilot Project.~~

83002.5. To improve understanding of the causes of groundwater contamination, identify potential solutions and funding sources to clean up or treat groundwater, and ensure the provision of safe drinking water to all communities, the State Water Resources Control Board, in consultation with other agencies as specified in this section, shall develop pilot projects in the Tulare Lake Basin and the Salinas Valley that focus on nitrate contamination and do all of the following:

(a) (1) In collaboration with relevant agencies and utilizing existing data, including groundwater ambient monitoring and assessment results along with the collection of new information as needed, do all of the following:

(A) Identify sources, by category of discharger, of groundwater contamination due to nitrates in the pilot project basins.

(B) Estimate proportionate contributions to groundwater contamination by source and category of discharger.

(C) Identify and analyze options within the board's current authority to reduce current nitrate levels and prevent continuing nitrate contamination of these basins and estimate the costs associated with exercising existing authority.

(2) In collaboration with the State Department of Public Health, do all of the following:

(A) Identify methods and costs associated with the treatment of nitrate contaminated groundwater for use as drinking water.

(B) Identify methods and costs to provide an alternative water supply to groundwater reliant communities in each pilot project basin.

(3) Identify all potential funding sources to provide resources for the cleanup of nitrates, groundwater treatment for nitrates, and the provision of alternative drinking water supply, including, but not limited to, state bond funding, federal funds, water rates, and fees or fines on polluters.

(4) Develop recommendations for developing a groundwater cleanup program for the Central Valley Water Quality Control

1 *Region and the Central Coast Water Quality Control Region based*
2 *upon pilot project results.*

3 *(b) Create an interagency task force, as needed, to oversee the*
4 *pilot projects and develop recommendations for the Legislature.*
5 *The interagency task force may include the board, the State*
6 *Department of Public Health, the Department of Toxic Substances*
7 *Control, the California Environmental Protection Agency, the*
8 *Department of Water Resources, local public health officials, the*
9 *Department of Food and Agriculture, and the Department of*
10 *Pesticide Regulation.*

11 *(c) Submit a report to the Legislature on the scope and findings*
12 *of the pilot projects, including recommendations, within two years*
13 *of receiving funding.*

14 *(d) Implement recommendations in the Central Coast Water*
15 *Quality Control Region and the Central Valley Water Quality*
16 *Control Region pursuant to paragraph (4) of subdivision (a) within*
17 *two years of submitting the report described in subdivision (c) to*
18 *the Legislature.*

19 *83002.6. Up to 5 percent of the funds appropriated by this*
20 *division may be expended to pay the costs incurred in the*
21 *administration of that program.*

22 *83002.7. Funds appropriated by this division shall only be*
23 *available for encumbrance until June 30, 2009. On January 10,*
24 *2008, any program that is the recipient of an appropriation made*
25 *by this division shall report to the fiscal committees of the*
26 *Legislature on the details of all committed and anticipated*
27 *expenditures of these funds. The report shall include all of the*
28 *following information:*

29 *(a) Fiscal detail of state operations support and local assistance*
30 *costs.*

31 *(b) A general description of the project and the project funding*
32 *made available by an appropriation in the annual Budget Act for*
33 *the 2007–08 fiscal year or proposed to be made available in the*
34 *annual Budget Act for the 2008–09 fiscal year.*

35 *(c) A description of the manner in which funds have been*
36 *expended and a plan for the future expenditure of funds.*

37 *(d) An anticipated timeframe for the full expenditure of the*
38 *appropriation.*

39 *(e) An anticipated timeframe for the full completion of the*
40 *designated project.*

1 (f) *The amount of total matching project funding that is being*
2 *provided by an entity other than the state.*

3 83003. The Legislature further finds and declares the following:

4 (a) ~~Last November~~ *At the November 7, 2006, statewide general*
5 *election*, the voters approved nine billion five hundred thousand
6 dollars (\$9,000,500,000) in general obligation bonding authority
7 to improve flood protection, water supply reliability, water quality,
8 fish and wildlife, parks and open space, and other natural resources.
9 This is in addition to the eleven billion one hundred thousand
10 dollars (\$11,000,100,000) previously authorized by the voters
11 since 1996 for similar uses.

12 (b) The Legislative Analyst reports that at the end of the
13 2006–07 fiscal year, more than one billion two hundred thousand
14 dollars (\$1,000,200,000) of the previously authorized eleven billion
15 one hundred thousand dollars (\$11,000,100,000) will not have
16 been appropriated or otherwise committed for voter-approved uses.

17 (c) ~~Before the voters are asked to approve additional bonded~~
18 ~~indebtedness for water and other natural resources uses, previously~~
19 ~~authorized debt should be committed to the those uses as approved~~
20 ~~by the voters.~~

21 83004. ~~(a) Of the funds made available pursuant to Division~~
22 ~~24 (commencing with Section 78500), the sum of two hundred~~
23 ~~forty-three million dollars (\$243,000,000) shall be expended as~~
24 ~~follows:~~

25 (1) ~~Pursuant to Article 2 (commencing with Section 78530) of~~
26 ~~Chapter 4 of Division 24, the Department of Fish and Game shall~~
27 ~~expend eleven million dollars (\$11,000,000) on acquiring and~~
28 ~~restoring habitat for delta smelt and other pelagic fish species.~~

29 (2) ~~Pursuant to Article 3 (commencing with Section 78535) of~~
30 ~~Chapter 4 of Division 24, the Secretary of the Resources Agency~~
31 ~~shall expend fourteen million dollars (\$14,000,000) on acquiring~~
32 ~~and restoring habitat for delta smelt and other pelagic fish species.~~

33 (3) ~~Pursuant to Article 5 (commencing with Section 78681) of~~
34 ~~Chapter 6 of Division 24, the department shall expend eighteen~~
35 ~~million dollars (\$18,000,000) on projects to improve water quality~~
36 ~~in the bay-delta.~~

37 (4) ~~Pursuant to Chapter 7 (commencing with Section 78684) of~~
38 ~~Division 24, the Secretary of the Resources Agency shall expend~~
39 ~~two hundred million dollars (\$200,000,000) on the following~~
40 ~~Bay-Delta Ecosystem Projects:~~

1 ~~(A) Acquiring and restoring habitat for delta smelt and other~~
2 ~~pelagic fish species.~~

3 ~~(B) Designing and implementing projects and programs to~~
4 ~~reduce, with the goal of eliminating the impact of invasive species~~
5 ~~on the delta ecosystem.~~

6 ~~(C) Designing and implementing projects and programs to~~
7 ~~reduce, with the goal of eliminating toxic materials and other~~
8 ~~pollutants that adversely affect the delta ecosystem.~~

9 ~~(b) Prior to commencing any project or program funded pursuant~~
10 ~~to this section, the California Bay-Delta Authority, or its successor,~~
11 ~~shall approve the specific project or program.~~

12 ~~(c) The proceeds of bonds approved by the voters of the state~~
13 ~~for water and natural resources should be appropriated and~~
14 ~~expended for those uses, as directed by the voters.~~